IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.PADMANABHAN NAIR

TUESDAY, THE 3RD JULY 2007 / 12TH ASHADHA 1929

AS.No. 193 of 1993(D)

OS.334/1988 of SUBORDINATE COURT,THRISSUR

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APPELLANT: 1ST DEFENDANT:

K.PRABHAKARAN, S/O.K.VELAYUDHAN,
USHA BUILDINGS, EAST NADA,
GURUVAYOOR, THRISSUR.

BY ADV. SRI.P.N.KRISHNANKUTTY ACHAN(SR.)
SRI.P.N.RAVINDRAN

RESPONDENTS:

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1. M/S.SUNDARAM FINANCE LIMITED,
REPRESENTED BY M.S.RAMASWAMY
S/O. LATE K.SREENIVASAN,
THRISSUR.

2. M.R.DASAN, S/O.M.K.RAMAN,
MANAMTHINDY HOUSE,
ELTHURUTH P.O., THRISSUR.

BY ADV. SRI.V.R.VENKATAKRISHNAN
SRI.N.C.JOSEPH

THIS APPEAL SUITS HAVING BEEN FINALLY HEARD ON 03/07/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

K.PADMANABHAN NAIR, J.

A.S.No. 193 of 1993

Dated this the 3rd July, 2007.

J U D G M E N T

This appeal is filed against a money decree passed by the court below, by which it allowed the first respondent to recover an amount of Rs.42,429.50, with proportionate cost and future interest at the rate of 6% per annum. It is submitted by the learned counsel for the appellant that the entire amount due under the decree has been paid. It is seen that on 23.7.2001, respondent's counsel had received an amount of Rs.70,000/=. It is submitted by the learned counsel for the appellant that the decree amount with interest and cost as on 23.7.2001 will come to Rs.70,000/=. Since the entire amount has been paid, it is submitted that the appeal may be closed.

2. Recording the above submission of the learned counsel, this appeal is closed.

C.M.P.No.377/1999 in A.S.No.193/1993 is dismissed.

K.PADMANABHAN NAIR,
JUDGE

nj.

K.PADMANABHAN NAIR, J.

A.S.No. 193 of 1993

J U D G M E N T

Dated: 3rd July, 2007.